

February 6, 2006

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Certification of CPNI Filing, WC Docket No. 06-36, EB-06-TC-060

Dear Ms. Dortch:

Pursuant to the Enforcement Bureau's Public Notice dated January 30, 2006 (DA 06-223), Covad Communications hereby files its compliance certificate and accompanying statement with regard to the Commission's CPNI rules.

Please feel free to contact me with any questions regarding this matter.

Sincerely,

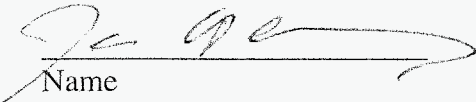


Angela Simpson
Senior Counsel

cc: Byron McCoy (byron.mccoy@fcc.gov)
Best Copy and Printing (fcc@bcpiweb.com)

CERTIFICATION

I, James A. Kirkland, certify that I have personal knowledge that Covad Communications has established operating procedures that are adequate to ensure compliance with the FCC's Part 64, Subpart U Rules, 47 C.F.R. 64.2001 to 64.2009, which implement Section 222 of the Communications Act of 1934, as amended, 47 U.S.C. Section 222, regarding Customer Proprietary Network Information. A statement describing Covad's efforts to remain compliant is attached to this document.


Name

SVP, General Counsel
Title

2/06/06
Date

Summary Statement of CPNI Policies

Covad Communications (“Covad”) has prepared this statement outlining how its various operating procedures protect the privacy of its customers’ information and ensure that it is in compliance with the Commission’s Customer Proprietary Network Information (“CPNI”) rules.

Historically, Covad does not regularly use CPNI in marketing its data products, nor does it routinely make its CPNI available to third parties whether agents or contractors. Because its business is heavily wholesale, CPNI of the customers of Covad’s wholesale partners is sometimes stored in Covad’s Operational Support Systems. When this occurs, Covad has a comprehensive security system in place to ensure that only Covad’s wholesale partners are able to access their customer CPNI in Covad’s systems. Further, this CPNI is routinely and regularly purged from Covad’s systems when it is no longer needed. With regard to the use of CPNI for Covad’s own customers, Covad has programs in place to ensure that the use, disclosure, or access to CPNI by Covad employees, affiliates, agents, joint venture partners, or other third parties is in accordance with the Commission’s rules:

- **Training Programs:** Covad conducts training to ensure that employees, affiliates, agents, joint venture partners, and other third parties with access to CPNI adequately protect such information.
- **Legal Review Process:** Covad’s Legal Department reviews sales and marketing campaigns before they are implemented to ensure compliance with the Commission’s CPNI rules.
- **Record Retention:** Records of sales and marketing campaigns utilizing CPNI are/will be maintained for one calendar year.
- **Maintenance of Customer Approvals:** In any situation where customer approval for the use of CPNI becomes necessary, Covad has a system to allow its employees, affiliates, agents, joint venture partners, and independent contractors to determine the status of a customer’s approval to use its CPNI. Under the Commission’s rules, Covad is not required to obtain customer consent to use CPNI in all circumstances. Where it is required, Covad will obtain customer approval and retain records of such approvals for one calendar year.
- **Confidentiality:** Covad does not routinely use CPNI in its marketing programs or otherwise. To the extent that the use of CPNI becomes necessary, Covad takes steps to ensure that CPNI received by its agents, affiliates, joint venture partners, and independent contractors is used properly. Covad requires that the CPNI only be used for the purpose it was provided and prohibits disclosure to any other party, unless required by force of law.
- **Customer CPNI Restrictions:** Covad maintains a system to allow customers to restrict the use of their CPNI to the extent use of their CPNI is restricted pursuant to the Commission’s rules.
- **Reporting Opt-Out Failures:** Covad will notify the Commission by letter within five business days if its opt-out mechanism does not work properly.